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Douglas W. Swartz  
Sheridan Ross, P.C.  
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|                              |   |                       |
|------------------------------|---|-----------------------|
| In re Application of         | : |                       |
| HONG, et al.                 | : | DECISION ON PETITION  |
| Application No.: 09/921,458  | : |                       |
| Filed: August 3, 2001        | : | UNDER 37 CFR 1.137(b) |
| Attorney Docket No.: 4366-40 | : |                       |

This is a decision on the petition under 37 CFR 1.137(b), filed January 19, 2006, to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to reply within the meaning of 37 CFR 1.113 in a timely manner to the final Office action mailed June 21, 2005, which set a shortened statutory period for reply of three (3) months. While a timely reply was filed on August 18, 2005, that reply did not prima facie place this application in condition for allowance as indicated in the Advisory Action mailed January 11, 2006. No extensions of time under provisions of 37 CFR 1.136(a) were obtained and a Notice of Appeal was not filed. Accordingly, by operation of law, the above-identified application became abandoned on September 22, 2005.

The petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that (1) the reply in the form of a Request for Continued Examination (RCE) and submission as required by 37 CFR 1.114; (2) the petition fee and (3) the required statement of unintentional delay have been received. Accordingly, the reply to the final Office action of June 21, 2005 is accepted as having been unintentionally delayed.

The application is being referred to Technology Center AU 2154.

Telephone inquiries concerning this decision should be directed to the undersigned.

Derek A. Putonen  
Attorney Advisor  
(571) 272-3294